

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2010

Marilyn Kelly,
Chief Justice

139060

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 139060
COA: 290772
Wayne CC: 08-012609-AR

SHAUN DAVID BARBARICH,
Defendant-Appellee.

On January 12, 2010, the Court heard oral argument on the application for leave to appeal the June 3, 2009 order of the Court of Appeals. On order of the Court, the application is again considered. MCR 7.302(H)(1). In lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted.

We do not retain jurisdiction.

CAVANAGH, J., would deny leave to appeal.



0126

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2010

Corbin R. Davis

Clerk